

Reply to the Examiner's Answer -- Introduction

Enter.
10/12/06

While much of the Examiner's Answer is a word-for-word repetition of the April 22, 2005, Office Action, the Examiner has added some new arguments which were not focused upon in the April 22, 2005, Office Action. These arguments can be divided up into four sections: 1. very brief comments on the Examiner's mention of the Section 112, first paragraph, rejection; 2. very brief comments regarding the Examiner's use of official notice; 3. arguments regarding what is fairly taught by the Plourde '611 reference and how the mischaracterization of the Plourde '611 reference has been improperly used by the Examiner to justify the Section 103(a) combination rejections; and 4. arguments regarding the circumstances under which references may be combined in a rejection for which arguments are asserted by the Examiner to be based upon case law, but which arguments in fact are conclusory and are based upon hindsight, unsupported by the facts, and fail to make the findings explicitly required by the cited case law. These arguments will be addressed in the order mentioned above.

Observations and Arguments

I. **The Section 112, First Paragraph, Rejection.** The Examiner's Section 112, first paragraph, rejection of Claims 86 and 106 was and is erroneous. Appellants are required to teach one skilled in the art how to practice the invention as claimed. The areas of structural weakness which extend nonlinearly across a width dimension or a length dimension are in fact clearly shown in Fig. 5 (which is attached hereto as an Evidence